

Additionally, De Smet's over 1,100 residents have come to count on The News, founded in 1880, and The Kingsbury County Independent, established in 1890, for quality and accurate reporting on local events and affairs.

In the twelve and a half decades since its founding, De Smet has proven its ability to thrive, while preserving and cherishing its rich past. De Smet's proud residents celebrate its 125th anniversary on June 11, 2005, and it is with great honor that I share with my colleagues the achievements made by this great community. ●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H. R. 1815. An act to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1815. To authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year; to the Committee on Armed Services.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 810. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-2384. A communication from the Deputy Chief Counsel for Regulations, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Privacy Act of 1974: Implementation of Exemptions; Registered Traveler Operations Files" ((RIN1652-AA36) (Docket TSA-2004-18984)) received on May 26, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2385. A communication from the Chairman and the Chief Executive Officer, United States Olympic Committee, transmitting, pursuant to law, a report relative to the Ted Stevens Olympic and Amateur Sports Act; to the Committee on Commerce, Science, and Transportation.

EC-2386. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Implementation Rule for 8-Hour Ozone NAAQS—Phase 1" (FRL No. 7918-6) received on May 26, 2005; to the Committee on Environment and Public Works.

EC-2387. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Arizona State Implementation Plan, Maricopa County" (FRL No. 7912-3) received on May 26, 2005; to the Committee on Environment and Public Works.

EC-2388. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maine; Smaller-Scale Electric Generating Resources" (FRL No. 7915-1) received on May 26, 2005; to the Committee on Environment and Public Works.

EC-2389. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maine; VOC Regulations" (FRL No. 7913-3) received on May 26, 2005; to the Committee on Environment and Public Works.

EC-2390. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-2391. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Personnel Management's (OPM) Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2004; to the Committee on Homeland Security and Governmental Affairs.

EC-2392. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Treaty on Open Skies of March 24, 1992; to the Committee on Foreign Relations.

EC-2393. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue: Notice 2002-50 'Tax Shelter'" (Uniform Issue List No.: 9300.21-00) received on May 26, 2005; to the Committee on Finance.

EC-2394. A communication from the Acting Chief, Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Additional Rules for Exchanges of Personal Property under Section 1031(a)" ((RIN1545-BD25) (TD 9202)) received on May 26, 2005; to the Committee on Finance.

EC-2395. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Practice Before the Internal Revenue Service (Circular 230—Shelter)" ((RIN1545-BA70) (TD 9201)) received on May 26, 2005; to the Committee on Finance.

EC-2396. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examinations, Inspections and Reopenings" (Rev. Proc. 2005-32) received on May 26, 2005; to the Committee on Finance.

EC-2397. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Trust Fund Recovery Penalty Revenue Procedure" (Rev. Proc. 2005-34) received on May 26, 2005; to the Committee on Finance.

EC-2398. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Regarding Qualified Intellectual Property Contributions" (Notice 2005-41) received on May 26, 2005; to the Committee on Finance.

EC-2399. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Increasing Research Activities" ((RIN1545-BD60) (TD 9205)) received on May 26, 2005; to the Committee on Finance.

EC-2400. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Declaratory Judgment Procedures under 7479" (Rev. Proc. 2005-33) received on May 26, 2005; to the Committee on Finance.

EC-2401. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Deemed Corporate Election for Electing S Corporations" ((RIN1545-BC32) (TD 9203)) received on May 26, 2005; to the Committee on Finance.

EC-2402. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Mortgage Revenue Bonds" ((RIN1545-BC59) (TD 9204)) received on May 26, 2005; to the Committee on Finance.

EC-2403. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Assumption of Partner Liabilities" ((RIN1545-AX93) (TD 9207)) received on May 26, 2005; to the Committee on Finance.

EC-2404. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appeals Settlement Guidelines: Transfer or Sale of Compensatory Options or Restricted Stock to Related Persons" (UIL: 9300.28.00) received on May 26, 2005; to the Committee on Finance.